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VIA E:MAIL and U.S. MAIL

May 20, 2013

The Honorable Robert Perciasepe
Acting Administrator
US Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., N.W
Mail Code 1101A
Washington, DC 20460

Re: Site Visit to Alaska in 2013

Dear Administrator Perciasepe:

I write on behalf of the United Tribes of Bristol Bay (UTBB) to thank you and your staff for meeting with the UTBB leadership the week of May 6, 2013 to discuss EPA's release of its revised Bristol Bay Watershed Assessment (BBWA). As you know well, the Assessment examines the potential impacts of large-scale hard rock mining on the Bristol Bay region's fisheries, wildlife, water, and Alaska Native peoples, whose culture and livelihood depend on the sustainable runs of all five species of pacific salmon. Because the adverse impacts of a hard rock mine would be so destructive to the region's fish and waters, the federally recognized Tribal Governments of the Nushagak, Togiak, and Kvichak River Drainages have formed a tribal consortium and endowed it with political authority to engage in government to government consultation on this issue.

During our May 6 meeting, UTBB distributed a Resolution signed by the Tribal leadership which expressly stated:

- 1) UTBB's unequivocal support of EPA's efforts in pursuing objective and unbiased science related to the proposed Pebble mine;
- 2) UTBB's request that the EPA not extend the public comment period on the revised draft Watershed Assessment beyond the May 31, 2013, deadline;
- 3) UTBB's request that the EPA invoke its authority under Section 404(c) of the Clean Water Act to prohibit, restrict, or deny any permit requested by the Pebble Limited Partnership; and

- 4) UTBB's request that the incoming Administrator, once confirmed by Congress, travel to Alaska's Bristol Bay region and its tribal communities this coming summer in order to see first hand the subsistence-based culture of the region's indigenous peoples. (I have attached to this letter a copy of the Resolution distributed to your office the week of May 6, 2013.)

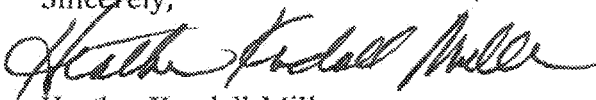
This letter is to again reiterate the above stated views and to invite EPA's entire leadership team, you included, to come to Alaska this summer. The best time to plan such a trip would be the last two weeks in July when the fishery is at its height. A similar such request has been extended to the new Secretaries of Commerce and Interior as well. We hope that you will treat these requests seriously and plan accordingly.

UTBB will be meeting with EPA Region 10 Senior Management Lead, Rick Parkin and Tammy Fordham on May 29 to further government to government consultation on this issue.

I also attach for your benefit Resolution #13-45 adopted by the Affiliated Tribes of Northwest Indians against the Pebble mine development.

Thank you in advance for your consideration.

Sincerely,



Heather Kendall-Miller
Native American Rights Fund
On behalf of United Tribes of Bristol Bay

cc:

Dennis McLerran, Region 10, Director
Rick Parkin, Region 10, EPA Senior Management Lead
Tammy Fordham, Alaska Resource Extraction Tribal Policy Advisor
Cara Steiner-Riley, Region 10, Office of Regional Council
Palmer Hough, Environmental Scientist (Wetlands Division)
Bill Dunbar, Region 10 Policy Advisor
Jeff Fristhen, Headquarters Office of Research and Development
Rachel Fertik, Environmental Protection Specialist, Office of Wetlands, Oceans and Watersheds
JoAnn Chase, Director, American Indian Environmental Office
Michelle DePass, Assistant Administrator, Office of International & Tribal Policy
Robert Sussman, Senior Policy Counsel, Office of the Administrator
David Evans, Director, Division of Wetlands
Bicky Corman, Deputy General Counsel, Office of Policy
Diane Soderland, Director Alaska Operations
Nancy Stoner, Division of Wetlands

United Tribes of Bristol Bay

P.O. Box 70
Ekwok, Alaska 99580

Resolution: 2013 - 1

Title: A RESOLUTION REQUESTING THE U.S. ENVIRONMENTAL PROTECTION AGENCY INVOKE ITS AUTHORITY UNDER SECTION 404(C) OF THE CLEAN WATER ACT TO MAKE AN ADVANCED PERMITTING DETERMINATION ON THE PROPOSED PEBBLE MINE IN ALASKA'S BRISTOL BAY REGION.

WHEREAS The United Tribes of Bristol Bay (UTBB) is a tribal consortium organized by federally recognized Tribal Governments of the Nushagak, Togiak, and Kvichak River Drainages to act as a political subdivision of its member Tribes;

WHEREAS UTBB's mission involves convening government-to-government consultations with various federal and state agencies on matters concerning the proposed Pebble mine as wells as implementing the Bristol Bay Regional Vision and addressing large scale mining in the context of that Vision;

WHEREAS UTBB and its member Tribes recognize that the proposed Pebble mine will have unacceptable adverse impacts on the waters, fisheries, wildlife and indigenous peoples in the Bristol Bay region;

WHEREAS the U.S. Environmental Protection Agency (EPA), at the request of federally recognized Tribal Governments of the Nushagak, Togiak, and Kvichak River Drainages, has published, after a peer review and public comment period, the 2013 revised draft Bristol Bay Watershed Assessment;

NOW BE IT THEREFORE RESOLVED that UTBB thanks EPA for engaging in this government-to-government consultation;

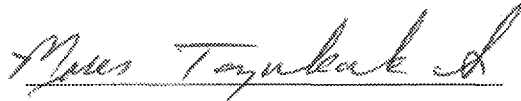
NOW BE IT FURTHER RESOLVED that UTBB hereby requests the EPA to not extend the public comment period on the revised draft Bristol Bay Watershed Assessment beyond the May 31, 2013, deadline;

NOW BE IT FURTHER RESOLVED that UTBB hereby unequivocally states its opposition to the development of the proposed Pebble mine and hereby requests the EPA to invoke its authority under Section 404(c) of the Clean Water Act to prohibit, restrict, or deny any permit requested by the Pebble Limited Partnership, as such a permit would result in unacceptable adverse impacts to the waters, fisheries, wildlife and indigenous peoples in the Bristol Bay region.

NOW BE IT FINALLY RESOLVED that UTBB hereby requests EPA Administer Gina McCarthy travel to Alaska's Bristol Bay region and its tribal communities this coming summer in order to see first hand the subsistence-based culture of the region's indigenous peoples.

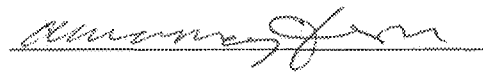
ADOPTED by the UTBB Tribal Representatives on this 5th day of May, 2013, at the City of Washington, D.C.

Date: 5-5-13



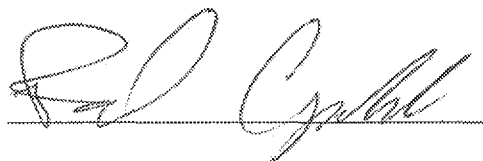
Moses E. Toyukak, Sr.
Manokotak Village Council

Date: 5/6/13



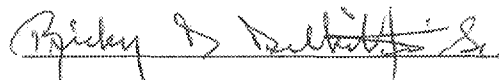
Anna May Ferguson
Traditional Council of Togiak

Date: 5-5-13



Raymond B. Apokedak
Levelock Village Council

Date: 5-5-13



Ricky D. Delkitte, Sr.
Nondalton Tribal Council

Date: 5/5/13

Lorraine King

Lorraine King
Ekwok Village Council

Date: 5/5/13

Thomas Tilden

Thomas Tilden
Curyung Tribal Council

Date: 5/05/13

Wassillie Andrews

Wassillie Andrews
New Stuyahok Traditional Council



2013 Mid-Year Convention Airway Heights, Washington

RESOLUTION #13 - 45

“PACIFIC NORTHWEST TRIBES OPPOSE THE PEBBLE MINE OPEN-PIT MINING OPERATIONS IN SALMON SPAWNING HABITAT”

PREAMBLE

We the members of the Affiliated Tribes of Northwest Indians (ATNI) of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the tribes of ATNI are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, promotion of the health, safety, welfare, education, economic and employment opportunity of native people, and preservation of their cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, the Bristol Bay watershed produces the largest run of sockeye salmon in the world and is the last pristine environment for producing all species of Pacific wild salmon; and

WHEREAS, the indigenous people of Bristol Bay have cultural ties to the land and subsistence activities and access to those resources are deemed the highest priority use of resources in the Bristol Bay region; and

WHEREAS, commercial fishing has historically provided a sustainable economy in the Bristol Bay region and the State of Alaska for the last 130 years; and

WHEREAS, the Pebble Mine Project represents potential catastrophic risks to our Native way of life including the cultural, ecological, subsistence and economic use of resources in Bristol Bay; and

WHEREAS, resolutions in opposition to the Pebble Mine project have been passed by the Bristol Bay Native Corporation and the Bristol Bay Native Association and more than 80 percent of Bristol Bay residents and shareholders are opposed to the Pebble Mine; and

WHEREAS, Alaska Native Tribes requested that the Environmental Protection Agency (EPA) protect Bristol Bay and its natural and cultural resources from large-scale hard rock mining, including the Pebble Mine; and

WHEREAS, the EPA has found in its Bristol Bay Watershed Assessment that mining the Pebble deposit will destroy up to 90 miles of salmon streams and up to 4,800 acres of salmon wetland habitat; and

WHEREAS, there are many additional and unacceptable risks identified by EPA and others that will create adverse effects for the fish, water, people and industry of Bristol Bay; and

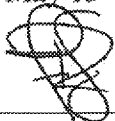
WHEREAS, ATNI represents 57 tribes in seven states, stands with our Alaska Native brethren in support of their proud cultural heritage, subsistence traditions and way of life; now

THEREFORE BE IT RESOLVED, that ATNI opposes development of the Pebble Mine or other inappropriately large hard-rock mining projects in Bristol Bay; and

BE IT FURTHER RESOLVED, that ATNI supports the EPA's Bristol Bay Watershed Assessment and process, and directs the Obama Administration to protect and conserve Bristol Bay's fish, water, people and an economy that is based on sustainable natural resources.

CERTIFICATION

The foregoing resolution was adopted at the 2013 Mid-Year Convention of the Affiliated Tribes of Northwest Indians, held at Northern Quest Resort Casino, Airway Heights, Washington on May 13-16, 2013 with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary